

Notice of Allowability

Application No.

10/813,200

Examiner

Nguyen T. Ha

Applicant(s)

STEVENS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/22/2006.
2. ☒ The allowed claim(s) is/are 1 and 3-51.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

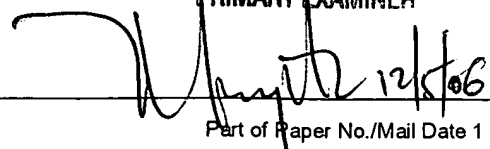
4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NGUYEN T. HA
PRIMARY EXAMINER

 12/5/06

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. The examiner acknowledges the applicants submission of the amendment dated 11/22/2006. At this point, claim 2 has been cancelled. Thus claims 1, 3-51 are pending in the instant application.

Allowable Subject Matter

3. Claims 1, 3-51 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 3-43, the prior art alone or in combination does not teach the limitation of a method of producing an anode foil for use in a capacitor comprising the steps of: (a) anodizing the foil by dipping the foil in an anodizing composition and applying current to form a nano-porous amorphous oxide on the foil, and (b) hydrating the foil, wherein the step (a) is performed prior to step (b). With respect to claims 44-50, the prior art alone or in combination does not teach the limitation of a method of producing an anodic foil for use in a capacitor comprising the steps of: anodizing the foil by placing the foil in an aqueous solution of an oxidizing acid at a temperature of about 15 °C to about 25 °C and applying a current, and forming a barrier oxide layer on the foil by placing the foil in a first forming composition and applying a first voltage to the foil. With respect to claim 51, the prior art alone or in combination does not teach the limitation of a method of producing an anodic foil for use

in a capacitor comprising the steps of: anodizing the foil to produce a nano-porous amorphous oxide layer, and hydrating the foil to convert the nano-porous amorphous oxide layer to crystalline precursor layer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation Relevant of Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kinard et al. (US 7,125,610) disclose capacitor containing aluminum anode foil anodized in low water.

b. Hahn et al. (US 6,804,109) disclose solid electrolyte capacitor having transition metal oxide under layer and conductive polymer electrolyte.

c. Yamazaki et al. (US 6,611,422) disclose electrode foil for aluminum electrolytic capacitor and method of manufacturing the same.

d. Lessner et al. (US 6,459,565) disclose surface mount aluminum capacitor having anode foil anodized in an aqueous phosphate solution.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T. Ha whose telephone number is 571-272-

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1974. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NGUYEN T. HA
PRIMARY EXAMINER

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December 5, 2006